

CROTTY, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARUBA HOTEL ENTERPRISES N.V., :

Plaintiff, :

-against- :

MICHAEL BELFONTI, BELFONTI
HOLDINGS LLC, and BELFONTI CAPITAL
PARTNERS, LLC, :

Defendants. :

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CIVIL ACTION NO.: 07 CV 7564 (PAC)

STIPULATION AND ORDER

WHEREAS, pursuant to the April 16, 2008 Civil Case Management Plan and Scheduling Order in the above-referenced action, the deadline for a motion to amend or to join additional parties was set for May 12, 2008; and

WHEREAS, on or about May 13, 2008, the Court extended the parties' time to make a motion to amend or to join additional parties to May 26, 2008; and

WHEREAS, on or about May 27, 2008, the Court extended the parties' time to make a motion to amend or to join additional parties to June 6, 2008; and

WHEREAS, on or about June 6, 2008 the parties requested a further extension to the time to make a motion to amend or to join additional parties to June 20, 2008, and that request is still pending;

WHEREAS, the parties have agreed to further extend the time to make a motion to amend or to join additional parties; and

WHEREAS, this is the Parties' fourth request for an extension of time to make a motion to amend or to join additional parties.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the Plaintiff and counsel for the undersigned Defendants, subject to the approval of the Court, that:

1. The parties' time to make a motion to amend or to join additional parties shall be extended to June 27, 2008.
2. This Stipulation is made without prejudice to the parties' ability to seek further extensions of time, or any other relief, and all parties specifically reserve all procedural and substantive rights they have or would have absent the extension.
3. Neither the existence of this Stipulation, nor the provisions contained herein, shall be deemed a presumption, concession or admission by any of the Parties, and shall not be interpreted, construed, deemed, invoked, offered or received in evidence or otherwise used by any person in any action or proceeding in any jurisdiction.

IT IS SO STIPULATED.

Dated: June 18, 2008

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Counsel for Defendants Michael Belfonti, Belfonti Holdings LLC, and Belfonti Capital Partners, LLC.

Dated: June 18, 2008

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Counsel for Plaintiff.

SO ORDERED this 19 day of June, 2008.

Paul A. Crotty

Hon. Paul A. Crotty
United States District Judge